

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2014-007129

12/15/2014

HONORABLE MICHAEL J. HERROD

CLERK OF THE COURT
L. Berger
Deputy

IN RE THE MARRIAGE OF
BOBI JO WILTBANK

CHRISTINA MARIE SCOTT

AND

JAMES DEAN WILTBANK

BENJAMIN S KUIPERS

MINUTE ENTRY

On December 10, 2014, Judge Herrod's Division received a call from James Wiltbank asking the status of a Motion for Temporary Orders that was filed by Petitioner in October. After further research, it was found that a Motion for Temporary Orders was filed by Christina Scott's office on October 23, 2014. The Court was not aware that the Motion had been filed since a copy was not provided to Judge Herrod's Division nor does the Affidavit of Service state a copy was provided for Judge Herrod's Division.

IT IS ORDERED that both parties shall provide a copy of all future documents filed with the Court to Judge Herrod's Division.

IT IS FURTHER ORDERED setting a Resolution Management Conference on **January 9, 2015 at 11:30 a.m.** (30 minutes allowed) in this division before:

The Honorable Michael Herrod
Maricopa County Superior Court
Central Court Building
201 W. Jefferson
6th Floor, Courtroom 605
Phoenix, AZ 85003

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Both parties, together with their counsel, if represented, shall appear in person, and be prepared to discuss the final resolution and, if necessary, pre-trial management of this case. IF ONLY ONE PARTY APPEARS, THE COURT MAY ENTER A DEFAULT AGAINST THE ABSENT PARTY, AND ALLOW THE PARTY THAT APPEARS TO PROCEED BY DEFAULT. IF BOTH PARTIES FAIL TO APPEAR, THE ACTION MAY BE DISMISSED. IF NO ISSUES HAVE BEEN RESOLVED THE COURT MAY CONSIDER TESTIMONY AND EVIDENCE.

MANDATORY RESOLUTION STATEMENT

IT IS FURTHER ORDERED that each party shall fully complete and file a Resolution Statement as required by Rule 76(A), Arizona Rules of Family Law Procedure, in proper form without argument, narrative statements or other documents, and provide a copy to the adverse party and to this Division at least 5 judicial days before the Conference. The Court is required to consider the reasonableness of each party's positions, including the failure to take a position, in any subsequent requests for attorney's fees made pursuant to A.R.S. §§ 25-324 and 12-349. The Resolution Statement may be obtained through the Self Service Center. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/familyCourt/pdf/resolutionStmt.pdf>.

PRE-CONFERENCE SETTLEMENT MEETING

IT IS FURTHER ORDERED that the parties and counsel, if any, shall personally meet and confer prior to the Resolution Management Conference to resolve as many issues as possible. In the event the parties and counsel, if any, have not met prior to the Resolution Management Conference, they shall all be present and meet at the court one (1) hour prior to the scheduled Resolution Management Conference. If there is a current court order prohibiting contact of the parties or a significant history of domestic violence between the parties, the parties shall not be required to personally meet or contact each other in violation of the court order, but the parties and their counsel shall take all steps reasonable under the circumstances to resolve as many issues as possible prior to the RMC. The parties shall also submit to the court no later than the time of the RMC a Joint Alternative Dispute Resolution Statement required by Rule 66(E), Arizona Rules of Family Law Procedure.

DISCLOSURE

IT IS FURTHER ORDERED that both parties shall complete the initial disclosure requirements of Rule 49 or 50, Arizona Rules of Family Law Procedure (ARFLP), as appropriate prior to the Resolution Management Conference. Pursuant to Rule 65(C), ARFLP, any party who fails to timely disclose information required by Rule 49 or 50 shall not be permitted to use

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such evidence in future motions, hearings or trials, except by leave of court for good cause shown, unless such failure is harmless.

PARENT EDUCATION PROGRAM

IT IS FURTHER ORDERED that in the event the parties have a natural or an adopted minor, unemancipated child in common, both parties shall have completed, or be scheduled to complete, an approved Parent Education Program in accordance with A.R.S. § 25-351 et seq. prior to the Resolution Management Conference and file proof thereof prior to or at the time of the Conference.

Failure to obey this order in all respects may subject the offending party or counsel to all sanctions provided and allowed by court rule, statute or other law.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.